



# PUBLIC NOTICE

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**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

**DA 00-1768**  
**August 4, 2000**

## **PETITIONS FOR ENFORCEMENT OF INTERNATIONAL SETTLEMENT BENCHMARK RATES**

AT&T Corp. (AT&T) and its affiliates Concert Global Networks USA L.L.C. and Concert Global Network Services Ltd. (Concert), Sprint Communications Company L.P. (Sprint), and Worldcom, Inc. (Worldcom) filed a joint petition on August 1, 2000 requesting that the Commission enforce its benchmark settlement rate of 19 cents per minute as required by the Commission's *Benchmarks Order* for service on the U.S.-Trinidad and Tobago route.<sup>1</sup>

The Commission has repeatedly expressed its concern about above-cost accounting rates because such rates harm U.S. consumers and may result in marketplace distortions. The Commission adopted the *Benchmarks Order* to ensure that U.S. consumers pay reasonable rates for international communications service and to guard against distortions that may result from above-cost accounting rates. The Order establishes a set of benchmark settlement rates and requires U.S. international facilities-based carriers to negotiate settlement rates with foreign carriers that comply with those benchmark rates according to a transition schedule. The benchmark settlement rates and the transition schedule depend primarily upon per capita income levels. For carriers in countries classified as upper middle income countries, which include Trinidad and Tobago, the Order requires that a settlement rate no higher than 19 cents per minute will be used for service provided with the United States beginning on January 1, 2000.

AT&T, Concert, Sprint, and Worldcom state that they have attempted to negotiate settlement rates that comply with the *Benchmarks Order* with the carrier providing international service in Trinidad and Tobago (Telecommunications Services of Trinidad and Tobago Limited (TSTT)), but they have been unsuccessful in reaching agreements that comply with the applicable benchmark settlement rate of 19 cents. The U.S. carriers request that the Commission enforce its *Benchmarks Order* by requiring all U.S. carriers to pay settlement rates no higher than 19 cents beginning on January 1, 2000.

Interested parties are requested to file comments no later than September 8, 2000, and reply comments no later than September 18, 2000. Any filings should reference the file number of this proceeding (File No. ISP-MS-20000801-00021). An original and four copies of all pleadings must be filed in accordance with Section 1.51(c) of the Commission's rules, 47 C.F.R. § 1.51(c). The pleadings should be filed with Magalie Roman Salas, Secretary, FCC, 445 12<sup>th</sup> Street, S.W., TW-A325, Washington, D.C. 20554. In addition, one copy of each pleading must be filed with (1) the FCC's copying contractor, International Transcription Services, Inc., 1231 20<sup>th</sup> Street, N.W., Washington, D.C. 20037; and (2) each of the petitioners.

Copies of the petition and any subsequently filed documents in this matter may be obtained from International Transcription Services, Inc. (ITS), 1231 20<sup>th</sup> Street, N.W., Washington, D.C. 20037, (202) 857-3800. The petition and any subsequently filed documents are also available for public inspection and copying during normal hours at the FCC's Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554, (202) 418-0270.

<sup>1</sup>

*International Settlement Rates*, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19,806 (1997) (*Benchmarks Order*); Report and Order on Reconsideration and Order Lifting Stay, 14 FCC Rcd 9256 (1999) (*Benchmarks Reconsideration Order*); *aff'd sub nom. Cable & Wireless P.L.C. v. FCC*, 166 F.3d 1224 (D.C. Cir. 1999).

For addition information, please contact Kathryn O'Brien, Lisa Choi, or Ken Stanley, Telecommunications Division, International Bureau, (202) 418-1460.